

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 20-cr-10012-IT
)	
PAUL BATEMAN,)	
Defendant.)	

MOTION FOR DISCOVERY PROTECTIVE ORDER

The United States of America, by and through the undersigned Assistant United States Attorneys, files this motion for entry of a Discovery Protective Order.

Defendant Paul Bateman was charged by indictment with receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2252A(a)(2)(A) and (a)(5)(B). The investigation of the Defendant involved the Defendant's use of website(s) dedicated to child pornography, and the users thereof, which are subject to ongoing investigation.

Discovery materials the government intends to produce pursuant to its discovery obligations under Federal Rule of Criminal Procedure 16 include law enforcement sensitive items related to the ongoing investigation of investigative targets suspected of engaging in online child sexual exploitation. The dissemination of certain of the government's investigative materials, including search warrant affidavits, reports of investigation, witness statements, court orders, and seized electronic data, and the information contained therein, could seriously jeopardize those continuing investigations.

The government requests that the Discovery Protective Order require that the Defendant may not disseminate specifically identified, sensitive discovery items to anyone other than counsel and members of the Defendant's litigation and investigative team. As proposed in the Protective Order, defense counsel and the Defendant's litigation team may show and display materials

produced in discovery to the Defendant, but may not provide a copy of materials produced in discovery to the Defendant or third parties to keep and maintain in their possession. Further, defense counsel and the Defendant's litigation team shall return materials produced in discovery to the United States Attorney's Office within 10 days upon conclusion of the case before this Court, or, if an appeal is taken, upon completion of such an appeal.

Any materials produced in discovery, or information contained therein, that are filed with the Court in connection with pre-trial motions, trial, sentencing, or other matter before this Court, shall be filed under seal and shall remain sealed until otherwise ordered by this Court. This does not entitle either party to seal their filings as a matter of course. The parties are required to comply in all respects to the relevant local and federal rules of criminal procedure pertaining to the sealing of court documents.

Any violation of any term or condition of the Proposed Order by the Defendant, the Defendant's attorney(s) of record, any member of the defense team, or any attorney for the United States Attorney's Office for the District of Massachusetts, may be sanctioned by contempt of court, and/or may be subject to monetary or other sanctions as deemed appropriate by this Court.

This Motion and the proposed Protective Order is submitted for the purpose of ensuring that law enforcement sensitive information contained in discovery materials are not disseminated to third parties. For these reasons, the United States requests that this Court authorize the proposed Discovery Protective Order. The defendant does not at this time object, but reserves his right to seek modifications in the future, if necessary.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Anne Paruti
Anne Paruti
Mackenzie Queenin
Assistant U.S. Attorney

Date: February 24, 2020